

HEERDE LAW PLLC
Matthew C. Heerde
48 Wall Street 26th Floor
New York, NY 10005
Phone: (347) 460-3588
Fax: (347) 535-3588
mheerde@heerdelaw.com
Counsel for Moses Cohen

**UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

In re:

BAGIR GROUP LTD.,

Debtor in a Foreign Proceeding.

Chapter 15

Case No. 21-10803 (JLG)

MOSES COHEN'S OBJECTIONS TO VERIFIED CHAPTER 15 PETITION

By and through his undersigned counsel, Moses Cohen submits his objections to the April 26, 2021 Verified Petition of the debtor's Trustee Adv. Ilan Shavit-Stricks (Doc 1-1) (the "**Petition**") and to the relief requested therein as follows:

PRELIMINARY STATEMENT

1. Mr. Cohen is a creditor of the debtor herein Bagir Group Ltd. ("**BG**" or "**Debtor**") and a creditor and former employee of the Debtor's New York subsidiary Bagir International Inc. ("**BGI(US)**"). Concurrently with these objections, Mr. Cohen is filing in this case a proof of claim describing amounts owed to him for substantial unpaid wages, unpaid reimbursable expenses, and interest thereon, attaching written employment agreements supporting same, which proof of claim is being filed in substantially the same form in the Israeli Court.

OBJECTIONS TO BG TRUSTEE'S ALLEGATIONS REGARDING A \$100,000 LOAN

2. Mr. Cohen objects to the relief sought in the Petition to the extent the Petition asserts, in paragraph 43 of the Petition or anywhere else, that an alleged \$100,000 loan to Mr. Cohen is "in default" or is owed to BGI(US) or to the debtor.

3. Mr. Cohen further objects to the relief sought in the Petition to the extent the Petition seeks to characterize any debt on said alleged \$100,000 loan as "property of the Debtor" or seeks any order from this Court that Mr. Cohen repay such alleged loan to the Debtor or to BGI(US).

4. Any alleged debt arising from said alleged loan has been forgiven, is not "property of the Debtor," and is not susceptible to the relief sought in the paragraph 50(f) of the Petition, namely any order that Mr. Cohen "deliver any property of the Debtor or of BGI(US) in his possession to the BG Trustee."

5. Mr. Cohen will if necessary vigorously oppose any action or claim that the BG Trustee may bring or assert against Mr. Cohen with respect to the loan alleged in Paragraph 43 of the Petition, on grounds including but not limited to that the alleged loan was forgiven.

OBJECTIONS TO BG TRUSTEE'S ALLEGATIONS REGARDING OFFICE EQUIPMENT

6. Mr. Cohen further objects to the relief sought in the Petition to the extent it seeks any order directing him to deliver any "office equipment or other personal property" as alleged in paragraph 45 of the Petition, because any alleged office equipment was never in Mr. Cohen's possession and was knowingly and intentionally abandoned by the Debtor, by BGI(US), and by the BG Trustee.

7. Mr. Cohen will if necessary vigorously oppose any action or claim that the BG Trustee may bring or assert against Mr. Cohen with respect to any alleged "office equipment or

other personal property”, on grounds including but not limited to that any alleged office equipment or other personal property was never in Mr. Cohen’s possession and was knowingly and intentionally abandoned by the Debtor, by BGI(US), and by the BG Trustee.

Dated: May 20, 2021
New York, New York

HEERDE LAW PLLC

/s/ Matthew C. Heerde
By: Matthew C. Heerde
48 Wall Street 26th Floor
New York, New York 10005
Phone: (347) 460-3588
Fax: (347) 535-3588
Email: mheerde@heerdelaw.com
Counsel for Moses Cohen